

JANUARY 26, 1809.

Read the first and second time, and committed to a committee of the whole House, on Monday next.

A Bill,

Respecting the circuit and district courts of the district of Columbia.

1 *Sec. 1. BE it enacted by the Senate and House of Representatives*
2 *of the United States of America, in Congress assembled, That the*
3 circuit court of the district of Columbia may be holden by any
4 one of the judges thereof, except for the trial of capital criminal
5 cases, and for the exercise of its appellate jurisdiction.

1 *Sec. 2. And be it further enacted, That in any suit or action at*
2 law now depending, or hereafter to be commenced in either county
3 of the said district, the court, upon a suggestion in writing by
4 either of the parties thereto, supported by affidavit or other pro-
5 per evidence, that a fair and impartial trial cannot be had in the
6 county where such suit or action is depending, may order the
7 record of their proceedings, in such suit or action, to be trans-
8 mitted to the court for the other county in the said district, where

9 the like proceedings shall be had, as if such suit or action had
10 not been so removed: *Provided*, that no unnecessary delay be
11 occasioned by such removal.

1 Sec. 3. *And be it further enacted*, That if any person now or
2 hereafter prosecuted by presentment, information or indictment,
3 in either county of the said district, shall suggest, in writing,
4 supported by affidavit or other proper evidence, that a fair and
5 impartial trial cannot be had in the county where such present-
6 ment, information or indictment is found, that then the said court
7 may order the record of the proceedings in such prosecution to be
8 transmitted to the court for the other county in the said district,
9 where the same proceedings shall be had as if such prosecution
10 had not been so removed.

1 Sec. 4. *And be it further enacted*, That if the attorney for the
2 United States for the district of Columbia, shall suggest, in writing,
3 to the court before whom any presentment, information or indict-
4 ment is or may be depending, that the United States cannot have
5 a fair and impartial trial in such county, the court may order the
6 record of the proceedings in the said prosecution to be trans-
7 mitted to the court for the other county in the said district, where
8 the same proceedings shall be had as if such prosecution had not
9 been so removed.

1 Sec. 5. *And be it further enacted*, That on any judgment rendered
2 or hereafter to be rendered by the said court in either of the said
3 counties, it shall and may be lawful for the marshal of the district

4 of Columbia, or his deputies, to serve any execution which may
 5 thereupon issue, in either county of the said district in which the
 6 person against whom such judgment may have been rendered, or
 7 his property, may be found, and such execution shall have the
 8 same force and effect as if it had issued from the county where
 9 such person or his property may be so found.

1 Sec. 6. *And be it further enacted,* That the district court, for the
 2 district of Columbia, shall, in future, be holden on the second
 3 Monday in May and November in every year, instead of the first
 4 Tuesday in April and October, as heretofore directed by law;
 5 and all business, process, matters and things continued over, or
 6 returnable to the said court on the first Tuesday in April next,
 7 shall stand further continued and be returnable to the said court,
 8 to be holden on the second Monday of May next.

1 Sec. 7. *And be it further enacted,* That it shall not be lawful to
 2 require bail in any action or suit, instituted in the courts of either
 3 of the said counties of the district of Columbia, in cases where the
 4 defendant is not an inhabitant of such county, unless a writ of
 5 *capias ad respondendum* against such defendant shall have been pre-
 6 viously returned *not found*, to the court of the district, county or
 7 corporation, in the state or territory in which such defendant re-
 8 sides.